

Plaintiff 7-25-06  
Bettie S.

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

YUKIO KUSADA, )  
Plaintiff )  
                )  
                )  
v.              )  
                )  
BERKSHIRE EAST SKI RESORT, )  
UNION TERMINAL PIERS, INC., )  
NORTHFIELD MOUNT HERMON )  
SCHOOL, FRANCIS MILLARD and ) Docket No. 05-30043-MAP  
MICHAEL ATKINS, )  
Defendants )  
                )  
                )  
v.              )  
                )  
TAKERU KUSADA, )  
Third-Party Defendant )

STIPULATION OF DISMISSAL WITH PREJUDICE

Now come the parties to the above-captioned action and, pursuant to the provisions of F.R.C.P. 41(a)(1)(ii), hereby stipulate that said action be dismissed as to defendants Berkshire East Ski Resort and Union Terminal Piers, Inc., with prejudice, and that all claims asserted in the

first and second causes of action as set forth in the First Amended Complaint be dismissed with prejudice; no further suit to be brought, each party to bear their own costs.

Dated: July 25, 2006

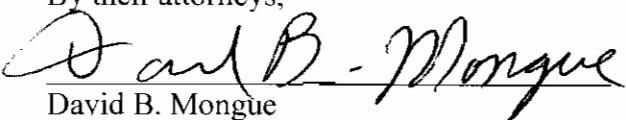
THE PLAINTIFF

By his attorneys,

  
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DEFENDANTS BERKSHIRE EAST SKI  
RESORT and UNION TERMINAL PIERS,  
INC.

By their attorneys,



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